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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/525,198	02/22/2005	Akihito Saitoh	03500.017500.	7749
5514 7590 09/10/2009 FITZPATRICK CELLA HARPER & SCINTO 1290 Avenue of the Americas NEW YORK, NY 10104-3800				
EXAMINER THOMPSON, CAMIE S				
ART UNIT		PAPER NUMBER		
1794				
MAIL DATE		DELIVERY MODE		
09/10/2009		PAPER		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/525,198

Applicant(s)

SAITOH ET AL.

Examiner

Camie S. Thompson

Art Unit

1794

Period for Reply -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on Amendment filed 6/9/09.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 4, 5, 18 and 20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 5 and 20 is/are allowed.
- 6) ☒ Claim(s) 4 and 18 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/S508)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

1. Applicant's amendment and accompanying remarks filed June 9, 2009 are acknowledged.
2. Examiner acknowledges amended claims 4 and 5.
3. The rejection of claims 5 and 20 under 35 U.S.C. 112, second paragraph is overcome by applicant's amended claim 5.
4. The rejection of claims 4 and 18 under 35 U.S.C. 102(e) as being anticipated by Matsuura et al., U.S. Pre Grant Publication 2005/0064233.

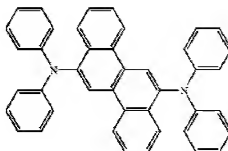
Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 4 and 18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Matsuura et al., U.S. Pre Grant Publication 2005/0064233.

Matsuura discloses an organic light emitting device comprising a pair of electrodes and a light emitting medium disposed therebetween. The reference discloses that the light emitting



medium can comprise a compound with the structure,



and a spirofluorene represented by Ar^1 wherein Ar^1 is a spirofluorene residue groups and A^5 to A^8 each independently represent a substituted or unsubstituted aryl group having 6 to 40 carbon atoms (see reference claim 16). Matsuura does not specifically disclose general formula 5 as required by the present claims. However, Matsuura does disclose that A^5 to A^8 each independently represent a substituted or unsubstituted aryl group having 6 to 40 carbon atoms, which corresponds to Ar_{13} to Ar_{16} can be aryl groups having 6 to 40 carbon atoms. A^5 to A^8 of the Matsuura reference encompass the substituents of fluorenyl, bifluorenyl, phenanthrenyl, acridinyl, pyrenyl, perylenyl, phenyl having a fluorenyl group, phenyl having a pyrenyl group, phenyl having a perylenyl group and a phenyl having a carbazole group.

Allowable Subject Matter

7. Claims 5 and 20 are allowed. Applicant claims an organic light emitting device comprising a pair of electrode and organic compound containing layers sandwiched between the

pair of electrodes wherein at least one layer of the organic compound containing layers contains (a) an aryl amine as defined by present claim 5 and (b) a compound represented by general formula (6). The closest prior art, JP 2002-212150, teaches an organic electroluminescent device comprising a pair of electrodes with a plurality of organic compound layers disposed between the electrodes wherein at least one organic compound layer comprises an arylamine and a fluorene derivative. The Japanese reference fails to teach or suggest the arylamine as defined in present claim 5.

Response to Arguments

8. Applicant's arguments with respect to present claim 4 have been considered but are moot in view of the new ground(s) of rejection. Applicant has amended claim 4 to narrow the scope of general formula 5. The Maturra reference discloses a spirofluorene compound present in the organic compound layer that has aryl substituents that encompass the substituents that are required by the present claims.

9. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37

CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Camie S. Thompson whose telephone number is 571-272-1530. The examiner can normally be reached on Monday-Friday 8:00 am - 6:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, D. Lawrence Tarazano can be reached on 571-272-1515. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/D. Lawrence Tarazano/

/Camie S Thompson/

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Supervisory Patent Examiner, Art Unit 1794

Examiner, Art Unit 1794